

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**MICHAEL E. LEWIS,**

**Petitioner,**

**v.**

**CASE NO. 2:05-cv-239**

**JUDGE SMITH  
MAGISTRATE JUDGE KING**

**STATE OF OHIO,**

**Respondent.**

**OPINION AND ORDER**

On November 3, 2005, the Magistrate Judge issued a *Report and Recommendation* recommending that this action be dismissed. Petitioner has filed objections to the Magistrate Judge's *Report and Recommendation*. Doc. No. 11. Petitioner again argues that he was denied his right to appeal and to the effective assistance of counsel when his attorney filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967). Petitioner again raises all of the same arguments that were previously presented.

Pursuant to 28 U.S.C. 636(b)(1), this Court has conducted a *de novo* review of those portions of the *Report and Recommendation* objected to by petitioner. For the reasons discussed at length in the *Report and Recommendation*, petitioner's objections are **OVERRULED**.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. This case is hereby **DISMISSED**.

s/ George C. Smith

GEORGE C. SMITH  
United States District Judge